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7 State Farm Mutual Automobile Insurance Company

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA, SOUTHERN DIVISION**

10 ***

11 RENEE PASSADORE,

12 Plaintiff,

13 vs.

14 STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, a Foreign
15 Company; and DOES I through X, inclusive;
and ROE ENTITIES XI through XX,
16 inclusive,

17 Defendants.

CASE NO.: 2:22-cv-02118-MMD-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

[SECOND REQUEST]

18 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of
19 record, hereby stipulate and request that this Court extend discovery in the above-captioned case by
20 sixty (60) days, up to and including Sunday, December 10, 2023. In addition, the parties request
21 that all other future deadlines contemplated by the Discovery Plan and Scheduling Order be
22 extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as
23 follows:
24

25 **DISCOVERY COMPLETED**

- 26 1. On January 12, 2023, the parties conducted an initial FRCP 26(f) conference.
27 2. On January 30, 2023, Plaintiff served her FRCP 26 Initial Disclosures.
28 3. On February 2, 2023, Defendant served its FRCP 26 Initial Disclosures.

- 1 4. On March 3, 2023, Defendant served its first set of Document Requests and
- 2 Interrogatories.
- 3 5. On March 27, 2023, Plaintiff served her first set of Document Requests and
- 4 Interrogatories.
- 5 6. On March 30, 2023, Plaintiff served her responses to the first set of Document
- 6 Requests and Interrogatories.
- 7 7. On April 14, 2023 Plaintiff served her designation of Expert Witnesses and
- 8 Reports.
- 9 8. On April 26, 2023, Defendant served its second set of Document Requests and
- 10 Interrogatories.
- 11 9. On May 2, 2023, Plaintiff served her Supplemental Designation of Expert
- 12 Witnesses and Reports.
- 13 10. On May 2, 2023, Defendant served its first Supplement to FRCP 26 list of
- 14 Witnesses and Documents.
- 15 11. On May 3, 2023, Defendant served its response to the first set of Document
- 16 Requests and Interrogatories.
- 17 12. On May 5, 2023, Defendant served its second supplement to FRCP 26 list of
- 18 Witnesses and Documents.
- 19 13. On May 17, 2023, Plaintiff served her responses to the second set of Document
- 20 Requests and Interrogatories.
- 21 14. On May 17, 2023, Plaintiff served her Rule 26(a)(1) first Supplement to Initial
- 22 Disclosures.
- 23 15. On May 23, 2023, Defendant served its third supplement to FRCP 26 list of
- 24 Witnesses and Documents.
- 25 16. On May 24, 2023, Plaintiff served her second set of Interrogatories.
- 26 17. On May 24, 2023, Defendant served notice of Taking Deposition of Plaintiff Renee
- 27 Passadore.
- 28 18. On June 19, 2023, Defendant deposed Plaintiff.

19. Plaintiff disclosed medical records and bills.

DISCOVERY REMAINING

1. The parties will continue participating in written discovery.

2. Plaintiff will depose State Farm representatives.

3. Plaintiff will depose Defendant's FRCP 30(b)(6) witness(es).

4. The parties may depose any and all other witnesses garnered through discovery, potentially including treatment providers and claims adjusters.

5. The parties will designate expert witnesses and may conduct depositions of those expert witnesses.

6. Any and all discovery deemed necessary and permitted by the Federal Rules of Civil Procedure.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, the parties seek this extension solely for the purpose of allowing sufficient time to conduct discovery.

The parties have been diligent in moving the case forward: participating in a reasonable amount of discovery, including exchanging their initial lists of witnesses and documents; propounding written discovery requests and preparing responses thereto; records procurement; and preparing for Plaintiff's deposition.

State Farm is supplementing discovery responses prior to Plaintiff taking the depositions of State Farm representatives. It is anticipated that following the discovery responses plaintiff will set their depositions of the germane State Farm employees.

This extension will allow the parties experts to review all transcripts before preparing reports. Furthermore, the extension provides the parties with more time to continue settlement negotiations.

Further, following the deposition of Ms. Passadore, the parties discussed alternative dispute resolution and the informal exchange of settlement offers before undertaking the costs of expert reports and Defendant depositions.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3. This stipulation is made more than 21 days before the expiration of any deadlines.

This is the first request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the short extension.

The following is a list of the current discovery deadlines and the parties' proposed extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Wednesday, October 11, 2023</i>	<i>Sunday, December 10, 2023</i>
Deadline to Amend Pleadings or Add Parties	<i>Thursday, July 13, 2023</i>	<i>Monday, September 11, 2023</i>
Expert Disclosure pursuant to FRCP 26 (a)(2)	<i>Thursday, July 13, 2023</i>	<i>Monday, September 11, 2023</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Monday, August 14, 2023</i>	<i>Friday, October 13, 2023</i>
Dispositive Motions	<i>Thursday, November 9, 2023</i>	<i>Monday, January 8, 2024</i>
Joint Pretrial Order	<i>Thursday, December 7, 2023</i>	January 9, 2023 ²⁰²⁴ . <i>If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.</i>

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1 WHEREFORE, the parties respectfully request that this Court extend the discovery period
2 by sixty (60) days from the current deadline of October 11, 2023, up to and including Sunday,
3 December 10, 2023, and the other dates as outlined in accordance with the table above.

4 Dated this 5th day of July, 2023.

Dated this 5th day of July, 2023.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

KAPLAN YOUNG

6 /s/ Frank A. Toddre

/s/ Brittany A. Young

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11 *Automobile Insurance Company*

Attorneys for Plaintiff Renee Passadore

12
13 **ORDER**

14 IT IS SO ORDERED.

15 DATED this 5th day of July, 2023.

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18 UNITED STATES MAGISTRATE JUDGE
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